

A-Engrossed
House Bill 3011

Ordered by the House April 24
Including House Amendments dated April 24

Sponsored by Representative BENTZ; Senators BOQUIST, FERRIOLI (at the request of David Dickerson)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Allows dispensary for Class 1 flammable liquids located in low-population [*area*] **county** to permit self-dispensing of liquids when no owner, operator or employee of dispensary is present. **Provides that county population increase does not terminate self-dispensing.**

A BILL FOR AN ACT

1
2 Relating to the operation of devices for dispensing Class 1 flammable liquids.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2015 Act is added to and made a part of ORS 480.315 to**
5 **480.385.**

6 **SECTION 2. (1) As used in this section, "low-population county" means a county that,**
7 **based on a certificate of population prepared under ORS 190.510 to 190.610, has a population**
8 **of not more than 40,000.**

9 **(2) Notwithstanding ORS 480.330 and 480.340, if a filling station, service station, garage**
10 **or other dispensary where Class 1 flammable liquids are dispensed at retail is located in a**
11 **low-population county, the owner or operator may, during hours that no owner, operator or**
12 **employee is present at the dispensary:**

13 **(a) Permit a person other than the owner, operator or employee to use or manipulate a**
14 **device for dispensing liquids into the fuel tank of a motor vehicle or other retail container;**

15 **(b) Permit the use of an installed coin-operated or self-service dispensing device for the**
16 **liquids; and**

17 **(c) Allow the use of an automatic nozzle to dispense the liquids without the owner, op-**
18 **erator or employee being in the immediate vicinity of the tank or container being filled.**

19 **(3) A dispensary described in this section is not subject to any provisions of ORS 480.315**
20 **to 480.385 regulating nonretail facilities.**

21 **(4) If a county ceases to be a low-population county on or after the effective date of this**
22 **2015 Act, dispensaries located within the county may operate as described in subsection (2)**
23 **of this section notwithstanding the change in county population.**
24

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.